

REMARKS/ARGUMENTS

Claims 1-22 are pending in the application. In the Office Action, claims 17-22 were rejected because of an informality, and claim 17 has been amended in response. Applicants respectfully request withdrawal of the objection. In addition, claims 17-22 were rejected under 35 U.S.C. 101. These claims have been amended to overcome the rejection, and Applicants respectfully request withdrawal of this rejection. Claims 1-4, 6, 7, 17-20 and 22 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,278,387 to Rayskiy (Rayskiy). Claims 5, 8, 9 and 21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Rayskiy in view of U.S. Patent No. 5,717,823 to Klejin (Klejin). Claims 10, 11 and 13 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2004/0179676 to Okuda (Okuda) in view of Rayskiy. Finally, claims 12, 14 and 16 were rejected under 35 U.S.C. 103(a) as being unpatentable over Okuda in view of Rayskiy and in view of Klejin.

Independent claim 1 has been amended to clarify that the audio loopback path presents audio from the audio input module to the audio output module so as to be heard by the user during a call between the user and another party and that the audio loopback path presents audio at a loopback rate depending upon a selectable rate variable to impose an altered talking rate on the user when the user is speaking at an undesired speaking rate. Independent claims 10 and 17 have been similarly amended. Support for the amendments can be found on page 3, lines 1-3 and page 6, lines 9-21. No new matter has been added in view of the amendments.

In contrast, Rayskiy never mentions anything about feeding back the voice of the user of the audio codec during a call to cause the user to adjust his speaking rate. Admittedly, a time scaling module within the decoder allows variation of the playback rate of the compressed audio signal (see Abstract). But this playback refers to playback that is later in time as understood by one of skill in the art, as the audio signal that is captured is first encoded and transmitted over a communication channel or to storage before it is played back at the varied rate at the decoding unit (see FIG. 1; col. 4, lines 51-57; and col. 5, lines 27-34). At no time is the varied playback fed back to the user of the codec to cause the user of the codec to alter his speaking rate.

Moreover, Okuda describes a telephone that receives an audio signal from another party that is speed converted in which the voice of the user of the telephone is inadvertently altered along with the received audio signal and output through the telephone's speaker (see FIG. 1 and paragraphs 0004-0010). The voice signal that is inadvertently altered is referred to as a sidetone signal, and the object of Okuda is to eliminate this sidetone signal (see paragraphs 0009 and 0012). Okuda, however, never describes altering or attempting to alter the speaking rate of the party on the other end of the call who is speaking at the undesired rate, i.e., too fast or too slow. That is, Okuda attempts to mask the sidetone signal of the party who has adjusted the speaking rate of another party talking at an undesired speaking rate, but there is no attempt in Okuda to cause the party talking at the undesired rate to alter his speaking rate.

For example, in Okuda, a younger person may be talking to an elderly person, and the elderly person may feel that the younger person is talking too fast. The elderly

person may adjust at the elderly person's handset the voice signal of the younger person such that the younger person's voice signal is played at a slower rate than normal at the elderly person's handset. When the elderly person speaks at his handset, his voice may be subject to being inadvertently slowed down, and Okuda seeks to eliminate this problem. Okuda, however, never describes any attempt to cause the younger person to speak slower.

In view of the above, Applicants submit that the above claims are patentable over the prior art. Reconsideration and withdrawal of the rejection of the claims is respectfully requested. Passing of this case is now believed to be in order, and a Notice of Allowance is earnestly solicited.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

In the event that the Examiner deems the present application non-allowable, it is requested that the Examiner telephone the Applicants' attorney or agent at the number indicated below so that the prosecution of the present case may be advanced by the clarification of any continuing rejection.

The Commissioner is hereby authorized to charge any necessary fee, or credit any overpayment, to Motorola, Inc. Deposit Account No. 50-2117.

Respectfully submitted,

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